

Copenhagen
14 June 2004

Handled by
Christian Hauge

Our ref.
PC-99000105/CHE

European Patent Office
Erhardtstrasse 27
D-80331 München
TYSKLAND

 **COPY**

By facsimile and confirmation by ordinary mail!
Facsimile no.: +49 89 2399 4465
No. of pages: 12

Nokia Corporation
International Application No. PCT/IB02/02516

In reply to first written opinion dated 12 March 2004, please find below pursuant to PCT Rule 66.3 our comments and arguments and enclosed a set of amended claims 1 to 23 substituting claims 1 to 26 as originally filed.

Clarity and un-searchable matter

In regards to item III of the first written opinion, please be advised that the original claims 2, 19 and 26 have been deleted in the set of amended claims enclosed herewith.

Formality objections

In the first written opinion in item V – 3 the authorized officer objects to the formulation of claim 25 as filed, since according to the authorized officer the formulation gives doubts as to category of the claim (method/device). The new claim 23 substitutes the original claim 25 and has been reformulated so as to comply with the authorized officer's objection.

Finally, in the first written opinion the authorized officer in item V – 5 objects to the term "operable" in original claims 1, 13 to 15 and 24 which therefore has been reformulated in new claims 1, 12 to 14 and 23 so as to comply with the authorized officer's objection.

COPENHAGEN

VAT No. DK25908619

Teglgolm Allé 13
DK-2450 COPENHAGEN SV.
DENMARK

Telephone +45 70 20 00 33
Fax +45 70 20 04 33
Email kbenhavn@awapatent.com
Homepage www.awapatent.com

MALMÖ (Head office and registered office)
STOCKHOLM
GÖTEBORG
HELSEINGBORG

LINKÖPING
VÄXJÖ
JÖNKÖPING

SÖDERHAMN
ÖSTERSUND

Novelty

In regards to original independent claims 1, 17 and 21 (amended claims 1, 16 and 19), the authorized officer in item V – 6 raises novelty objections against these claims in light of International patent application WO 99/45702.

However, we respectfully submit that the authorized officer performing the international search and now the international examination, has identified all elements of claim 1 in the international patent application WO 99/45702 by selecting features of any elements without consideration for the factual association described in the description. For example, the international patent application WO 99/45702 relates to a television distributor (event manager) receiving a program guide and advertising information over a satellite connection from a main facility (promotion server) while said television distributor forwards the program guide to set-top boxes connected to the television distributor.

The international patent application WO 99/45702 does not disclose a promotion message request forwarded from the television distributor to the main facility, nor does it disclose communication of an accept signal from the connected set-top boxes to the main facility for accepting a promotion message from the main facility.

Further, the international patent application WO 99/45702 does not disclose a promotion server having a register for associating an accepting communication terminal with a promotion message. Contrarily, the international patent application WO 99/45702 clearly describes on page 10 lines 16 to 21 that the television distributor (i.e. the event manager) performs the monitoring of the user's interactions and as a function thereof may establish a user profile (page 25 lines 17 to 32).

Furthermore, the originally filed claim 1 and amended claim 1 comprise at least one communication network and one connection, whereas the international patent application WO 99/45702 only discloses one link between the television distributor and main facility and not a direct connection between the main facility and the one or more communication terminals.

In addition, the international patent application WO 99/45702 does not disclose a promotion server adapted to forward a reminder signal. Contrarily, the international patent application WO 99/45702 clearly describes on page 14 line 24 to page 15 line 13 that the reminder function is performed by the set-top boxes.

In light of above we respectfully submit that the originally filed claim 1 and the amended claim 1 are novel in light of the international application WO 99/45702.

In regards to original claims 17 and 21 (amended claims 16 and 19), similarly as commented above with reference to novelty of the original and amended claim 1 the authorized officer has selected features without considering the factual association between element and feature. In addition, the original claim 17 and the amended claim 16 comprise

steps not disclosed in the international patent application WO 99/45702, namely steps a) and d), and the original claim 21 and the amended claim 19 comprise elements not disclosed in the international patent application WO 99/45702, namely "a calendar module" and "a storage module".

The overall differencing feature between the international patent application WO 99/45702 and original claims 1, 17, 21 and amended claims 1, 16 and 19 is the novel possibility to forward a promotion message to a communication terminal separate from the event presentation platform thereby achieving the effect of allowing promotion of events not necessarily to be presented on said communication terminal but on any event presentation platform such as a television, cinema etc.

Hence it is respectfully submitted that the original claims 1, 17 and 21 and the amended claims 1, 16 and 19 are novel in light of WO 99/45702 and thereof fulfilling the requirements of PCT Art. 33(2).

Inventive step

In the first written opinion the authorized officer in item V – 4 objects to the terms "promotion message", "event", "event manager", and "promotion server" and claims these terms have no technical meaning. It is respectfully submitted that these terms are clearly defined in the description on pages 13 line 20 to page 25 line 21 and therefore the objection lacks substantiation, in particular, the authorized officer is respectfully referred to PCT Gazette section IV, III-4.2. Therefore these terms should be considered when determining inventive step.

The international patent application WO 99/45702 is considered as the closest prior art, since it has a purpose similar to the claimed invention in the amended claim 1 and since it has many elements in common. The problem to be solved by a person skilled in the art in light of the international patent application WO 99/45702 is: How to provide a notification for an event presented on an event presentation platform independently of a receiver's position. The person skilled in the art facing this problem could in light of the international patent application WO 99/45702 know how to provide advertising information for a program (an event), which program is to be presented through a set-top box on a television (event presentation platform), and which advertising information dedicated to specific television viewers is to be presented through said set-top box on said television. The person skilled in the art facing this problem with knowledge of the international patent application WO 99/45702 could by studying US patent application 2002/0026496 realize that separate advertising information may be forwarded through an email from the main facility to a personal computer (or PC/TVS) associated with a potential viewer of a television event. Specifically (paragraph 0044) the person skilled in the art would learn that a user connecting from an office location to the main facility may request that emails are forwarded to a home location. Hence by combining these to disclosures the person skilled in the art would have created a solution where the notification always is forwarded to the location of the event and,

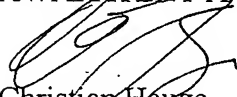
consequently, the system does not solve the problem since no notification is forwarded to a receiver having a position other than the event presentation platform.

Hence it is respectfully submitted that the claimed invention in the originally filed claim 1 involves an inventive step thus fulfilling the requirements of PCT Art. 33(3).

Finally, in case the authorized officer does not agree with the above argumentation for enclosed amended claims 1 to 23, we respectfully request in accordance with PCT Rule 66.4(b) one or more additional opportunities to submit amendments or arguments.

Yours sincerely

AWAPATENT A/S



Christian Hauge

Encl.: Revised claims

1. A system for communicating a promotion message to one or more communication terminals, which promotion message is associated with an event having defined a start time, said system comprising:

(a) an event manager for providing said event to one or more receivers starting from said defined start time and for generating a promotion message request;

(b) a promotion server for communicating said promotion message to said one or more communication terminals through at least one communication network in response to receiving said promotion message request from said event manager through a connection interconnecting said event manager and said promotion server; and

said one or more communication terminals being adapted to respond to said promotion message by communicating an acceptance signal through said at least one communication network to said promotion server, said promotion server comprising a register for associating an accepting communication terminal of said one or more communication terminals with said promotion message on reception of said acceptance signal from said accepting communication terminal and said promotion server being adapted to communicate a reminder signal for said event to said accepting communication terminal through said first communication network.

2. A system according to claim 1, wherein said communication terminal comprises terminals such as mobile or cellular phones, personal office assistants, personal computers or any combination thereof.

3. A system according to any of claims 1 to 2, wherein said promotion message comprises a text, a series of texts, a picture, a series of pictures, a video sequence, a series of video sequences, an audio track, a series of audio tracks, or any combinations thereof.

4. A system according to any of claims 1 to 3, wherein said one or more receivers comprises a television, a radio, a set-top box, a receiver module for a computer, a multimedia terminal, a mobile or cellular phone, a personal office assistant, a personal computer, or any combination thereof.

5. A system according to any of claims 1 to 4, wherein said promotion message request comprises information such as said start time, end time of said event, duration of said event, event identity, event type, event presentation platform, promotion message, list of said receivers and said one or more communication terminals, or any combination thereof.

6. A system according to claim 5, wherein said event presentation platform comprises a television, a radio, a set-top box, a receiver module for a computer, a multimedia terminal, a mobile or cellular phone, a personal office assistant, a personal computer, or any combination thereof connected a media communication network, and a network broadcaster.

7. A system according to claim 6, wherein said media communication network comprises a cable television network, a satellite television network, a radio frequency television network, a telephone network, a

powerline network, a radio network or any combination thereof.

8. A system according to any of claims 1 to 7, wherein said first communication network comprises a wired or wireless telecommunication network, local area network, metropolitan area network, wide area network, or inter-network such as the Internet, a dedicated communication line, or any combination thereof.

9. A system according to any of claims 1 to 8, wherein said connection comprises a wired or wireless telecommunication network, local area network, metropolitan area network, wide area network, or inter-network such as the Internet, a dedicated communication line, or any combination thereof.

10. A system according to any of claims 1 to 9, wherein said promotion server comprises a storage device for storing said register, said reminder, said promotion message, and a processor for processing communication with said one or more communication terminals, for processing said promotion message request from said event manager, and for updating content of said storage device.

11. A system according to any of claims 1 to 10, wherein said register comprises information such as promotion message identity; one or more communication terminal identities; event data such as event title, event type, event presentation platform, event identity and/or event actions; time data such as said start time, end time of said event, duration of said event; group application data such as a group identity comprising one or more

communication terminal identities and/or group actions to be performed; or any combination thereof.

12. A system according to any of claims 1 to 11, wherein said one or more communication terminals is adapted to forward said promotion message from said one or more communication terminals to further communication terminals connected in said first communication network.

13. A system according to claim 12, wherein an accepting communication terminal of said further communication terminals is adapted to respond to said promotion message by communicating an acceptance signal through said first communication network to said promotion server and said promotion server is adapted to associate said accepting communication terminal of said further communication terminals with said promotion message on reception of said acceptance signal from said accepting communication terminal and said promotion server being adapted to communicate a reminder signal to said accepting communication terminal through said first communication network.

14. A system according to claim 12, wherein an accepting communication terminal of said further communication terminals is adapted to respond to said promotion message by communicating an acceptance signal through said first communication network to said one or more communication terminals and said one or more communication terminal comprises a local register for associating an accepting communication terminal of said further communication terminals with said promotion message on reception of said acceptance signal from said accepting communication terminal and said one or more communication terminals is

adapted to communicate a reminder signal to said accepting communication terminal through said first communication network.

15. A system according to any of claims 1 to 14, wherein said one or more communication terminals are adapted to start a predetermined application when receiving said reminder signal.

16. A method for communicating a promotion message to one or more communication terminals, which promotion message is associated with an event having a defined start time, said method comprising:

- (a) initiating said promotion message by means of a event manager forwarding a promotion message request to a promotion server;
- (b) transmitting said promotion message to said one or more communication terminals by means of a promotion server connected to said one or more communication terminals through a first communication network;
- (c) receiving said promotion message from said promotion server by means of said one or more communication terminals;
- (d) accepting said promotion message by transmitting an acceptance signal to said promotion server by means of said one or more communication terminals;
- (e) receiving said acceptance signal from an accepting communication terminal of said one or more communication terminals by means of said promotion server;
- (f) associating said accepting communication terminal with said promotion message on reception of said acceptance signal from said accepting

communication terminal by means of a register of said promotion server; and

- (g) transmitting a reminder signal for said event to said accepting communication terminal through said first communication network by means of said promotion server.

17. A method according to claim 16, wherein said method further comprises forwarding said promotion message to further communication terminals connected to said first communication network by means of said one or more communication terminals.

18. A method according to claim 17, wherein said method further comprises

- (h) accepting said promotion message by transmitting an acceptance signal to said one or more communication terminal by means of said further communication terminals;
- (i) receiving said acceptance signal from an accepting communication terminal of said further communication terminals by means of said one or more communication terminals;
- (j) associating said accepting communication terminal with said promotion message on reception of said acceptance signal from said accepting communication terminal by means of a local register of said one or more communication terminal; and
- (k) transmitting a reminder signal for said event to said accepting communication terminal through said first communication network by means of said one or more communication terminal.

19. A communication terminal for communicating in a first communication network and for receiving a promotion message and a reminder signal from a promotion server, and comprising a messaging module for transmitting and receiving messages through said first communication network; a calendar module for enabling a user of said communication terminal to perform general calendar operations; a media playback module for outputting said promotion message; a storage module for storing promotion message information, and a promotion messaging module for receiving and transmitting said promotion message.

20. A communication terminal according to claim 19, wherein said promotion message information comprises promotion message identity; one or more communication terminal identities; event data such as event title, event type, event presentation platform, event identity and/or event actions; time data such as said start time, end time of said event, duration of said event; group application data such as a group identity comprising one or more communication terminal identities and/or group actions to be performed; or any combination thereof.

21. A communication terminal according to claims 19 or 20, wherein said communication terminal further comprises a display and loudspeaker for communicating said promotion message to a user of said communication terminal.

22. A communication terminal according to claims 20 or 21, wherein said storage module is adapted to store a promotion message identity and information comprising transmitter identity and associated messaging contact

information, recipient identity and associated messaging contact information, media event information such as identity code, name or title, start time and end time, and group application data, which data is adapted to initialise and starting a reminder application in response to receiving said reminder signal on said communication terminal.

23: A communication terminal according to any of claims 19 to 22 further comprises a means for utilising an electronic program guide containing information on media events, said means for utilising being adapted in cooperation with said calendar to provide a reject signal when said communication terminal is busy.